REMARKS/ARGUMENTS

Request for Continued Examination:

   The applicant respectfully requests continued examination of the above-indicated application as per 37 CFR 1.114.

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   Claims 1-23 and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin et al. (US 5,832,000, "Lin" hereinafter) in view of Lundby (US 6,856,604).

10 **Response:**

   Claim 1 recites the features of:

"**successively** transmitting a first predetermined number of more than one
      identical copies of a data block with a first transmitter of the first peer;
   receiving at least two of the first predetermined number of identical copies of the
15   data block with a second receiver of the second peer; and
combining more than one corrupted received data blocks to form a complete
      copy of the data block at the second peer."

   The applicant previously argued that Lundby did not disclose successively
20   transmitting a first predetermined number of more than one identical copies of
data block with a first transmitter of the first peer.

   In the Advisory Action dated 09/16/2009, the Examiner responded "*The
examiner respectfully contends that Lundby discloses multiple transmissions with
25   the same data, column 2, line 2, and transmitting identical data to multiple users,
column 2, line 4, thereby allowing the base station to make multiple
transmissions (with transmitter) with the same data content, column 2, lines 1-2.
Additionally, same transmissions are sent to all the remote stations, column 5,
line 10. And, the system transmits the same information tailored to the needs of
30   each remote station, column 5, lines 20-22. Further, successive transmission of*

the same data and combining for reconstructing data, column 7, lines 40-50."

However, the applicant disagrees with the Examiner's interpretation of the term "**successively** transmitting". The Examiner appears to be interpreting "successive transmission" as different transmissions or retransmissions. However, successively transmitting as recited in claim 1 has a timing sense: The transmitter transmits and retransmits identical copies of the same data block without time interruption. With this feature, the receiver can receive the data block successfully by combining the received copies of the same data block at a minimum delay.

The applicant acknowledges that Lundby discloses multiple transmissions with the same data and the receiver can use soft-combining scheme, in column 7, lines 40-50. However, Lundby does not specify or hint at what the duration is between the multiple transmissions of the same data. According to the general knowledge of one skilled in the art, the retransmission could be performed after a negative acknowledgement of the data is received or could be performed periodically, such as every one or two seconds. Lundby does not hint that the retransmission is done immediately after a data is first transmitted. This is because the base station has determined channel quality of users (step 220 in Fig. 2 and step 300 in Fig. 3) and selected the optimal TX Timer (step 210 in Fig. 2), optimal encoding (step 220 in Fig. 2) and/or TX format (step 310 in Fig. 3), all based on the user with the worst channel. And in column 7, lines 27-30, Lundby discloses, "*... will allow the subscriber with the worst channel conditions to recover the original data.*" Thus, with the optimal setting, the transmitter expects that all the users can receive the data successfully with the first transmission. Therefore, there is no need in Lundby's scheme to retransmit the data immediately after the data is first transmitted.

In summary, the difference between Lundby and the recited features of

claim 1 is Lundby needs to determine channel quality of users so as to optimize transmission settings to ensure all the users can receiver the data successfully. Lundby mentions the possibility of retransmissions, but does not hint at time separations between retransmissions. Claim 1 does not need to determine channel quality of the receiver. Claim 1 simply sends multiple transmissions immediately one after another to ensure the receiver can receive the data successfully with minimum delay.

As neither Lin nor Lundby teaches the claimed feature of "**successively** transmitting a first predetermined number of more than one identical copies of a data block with a first transmitter of the first peer", the applicant submits that claim 1 is patentable over the cited prior art references.

Claims 2-12 and 27 are dependent claims of claim 1. If claim 1 is allowable over Lin and Lundby as argued above, claims 2-12 and 27 shall also be allowable.

Claim 13 recites the feature of "a first processor electrically connected to the first transmitter for controlling the first transmitter to successively transmit a first predetermined number of more than one identical copies of a data block via the first antenna". For the same reasons explained above with respect to claim 1, claim 13 is also patentable over the combination of Lin and Lundby.

Claims 14-18 are dependent claims of claim 13. If claim 13 is allowable over Lin and Lundby as argued above, claims 14-18 shall also be allowable.

Claim 19 recites "a second processor electrically connected to the second receiver for combining more than one data blocks received successively to form a complete copy of the data block". For the same reasons explained above with respect to claim 1, claim 13 is also patentable over the combination of Lin and

Lundby.

Claims 20-23, 25, and 26 are dependent claims of claim 19. If claim 19 is allowable over Lin and Lundby as argued above, claims 20-23, 25, and 26 shall

5   also be allowable.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

10   Sincerely yours,

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        Note: Please leave a message in my voice mail if you need to talk to me. (The time in

20   D.C. is 12 hours behind the Taiwan time, i.e. 9 AM in D.C. = 9 PM in Taiwan.)